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STATE OF WASHINGTON

County of Thurston

I, Linda Myhre Enlow, County Clerk and Ex-officio Clerk of the Superior Court of the State of Washington, for Thurston County holding session at Olympia, do hereby certify that the following is a true and correct copy of the original as the same appears on file and of record in my office containing -- 4 -- pages,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said court.

DATED: _____

LINDA MYHRE ENLOW
County Clerk, Thurston County, State of Washington
by _____ Deputy

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2022 JAN 19 AM 10:18

LINDA MYHRE ENLOW
THURSTON COUNTY CLERK

Superior Court of Washington
For Thurston County
Family and Juvenile Court

No. 20-2-30788-34

Denial Order - Domestic Violence

Selena Smith
Petitioner (Protected Person)
vs.

(Optional Use) (ORDMTP)

[] Clerk's Action Required

Next Hearing Date/Time: _____

At: 2801 -32nd Avenue SW

Tumwater, WA 98512

360-709-3268 or 360-709-3275

James Wells
Respondent (Restrained Person)

This Matter is before the court upon the request of (name) Smith, for a:

[] Temporary Order

[] Full Order

☒ Renewal Order

[] Modification Order

[] Termination Order

Court Finding:

- ☒ Petitioner [] respondent did not appear.
[] Petitioner requested dismissal of petition.
[] This order materially changes an existing order. A hearing after notice is necessary.
[] No notice of this request has been made or attempted to the opposing party.
[] The petitioner has failed to demonstrate that there is sufficient basis to enter a temporary order without notice to the opposing party.
[] The petitioner and respondent do not have an eligible relationship for this type of order.
[] The domestic violence protection order petition does not list a specific incident and approximate date of domestic violence.
[] A preponderance of the evidence has not established that there is domestic violence.
[] Other: _____

Renewal:

☐ The respondent proved by a preponderance of the evidence that the respondent will not resume acts of domestic violence against the petitioner or the petitioner's children or family or household members when the protection order expires.

☐ Other: _____

Modify or Terminate:

☐ Petitioner's motion to modify or terminate a domestic violence Order for Protection is denied because:

☐ Respondent's motion to modify or terminate a domestic violence Order for Protection effective less than two years is denied because:

☐ The court finds that the respondent has previously filed a motion to modify or terminate during the current 12 month period following entry of the order, and is not eligible for the relief requested.

☐ For respondent's motion to modify or terminate a domestic violence Order for Protection effective longer than two years:

☐ The court finds that the respondent has previously filed a motion to modify or terminate during the current 12 month period following entry of the order, and is not eligible for the relief requested, or

☐ A preponderance of the evidence **failed** to establish that:

☐ the modification is warranted.

☐ for a modification to shorten the duration or remove restrictions against domestic violence acts or threats, or for termination, there has been a substantial change of circumstances such that the respondent is unlikely to resume acts of domestic violence against the petitioner or other persons protected in the order, to wit:

☐ since the protection order was entered, the respondent ☐ has committed or threatened domestic violence, sexual assault, stalking, or other violent acts;
☐ has exhibited suicidal ideation or attempts; ☐ has been convicted of criminal activity; ☐ neither acknowledged responsibility for the acts of domestic violence that resulted in entry of the protection order nor successfully completed domestic violence perpetrator treatment or counseling;

☐ the respondent has continued to abuse drugs or alcohol, if such was a factor in the protection order.

☐ the petitioner ☐ has ☐ has not voluntarily and knowingly consented to terminating the protection order

☐ the respondent or petitioner moving further away from the other party will stop acts of domestic violence.

☐ other _____

☐ The respondent proved that there has been a substantial change of circumstances; however, the court declines to terminate the Order for Protection because the acts of domestic violence that resulted in the issuance of the Order for Protection were of such severity that the order should not be terminated.

☐ Other: _____

The court orders that:

☐ The request for a temporary order is denied and the case is dismissed.

☐ The request for a temporary order is denied, but a hearing on the merits of the petition after notice to the respondent is set for the date listed in the caption on page 1 of this order, or

☐ The request for a temporary order is denied and the clerk is directed to set a hearing on the petition.

or

☐ The parties are directed to appear for a hearing as shown on page 1. The requesting party shall make arrangements for service of the petition/motion and this order on (name) _____ by law enforcement, professional process server, or a person who is 18 or older, competent to be a witness, and not a party to the case. A Return of Service shall be filed with the clerk at or before the hearing.

☐ The request for a full order is denied, and the petition is dismissed. Any previously entered temporary order expires at _____ .m. today.

☒

The request to ~~modify, terminate, or renew~~ the order dated _____ is denied.

☐ The request for a temporary/final Order to Surrender and Prohibit Weapons is denied.

☐ If any firearms or dangerous weapons have been surrendered under this cause number, they shall be released to the respondent, absent some other legal reason that may exist prohibiting the respondent from possessing them.

☐ Other: _____

Failure to Appear at the Hearing May Result in the Court Granting All of the Relief Requested in the Petition or Motion.

This order is dated and signed in open court.

Date: 1-19-21 Time 10:15 AM

[Signature]
Judge/Commissioner
REBEKAH ZINN

I acknowledge receipt of a copy of this order:

> _____
Signature of Respondent/Lawyer WSBA No. Print Name Date

> _____
Signature of Petitioner/Lawyer WSBA No. Print Name Date